

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION - FLINT

FRED REEVES, #241753

Plaintiff(s),

CASE NO.: 2:06-CV-10326-DT

vs.

HON. AVERN COHN
MAG. JUDGE WALLACE CAPEL, JR.

D. WALLINGTON, et. al.,

Defendant(s).

/

ORDER GRANTING IN-PART AND DENYING IN-PART
PLAINTIFF'S MOTION FOR PROTECTIVE ORDER TO SEAL DOCUMENTS
AND ORDER FOR DEFENDANT TO FILE RESPONSE TO
PLAINTIFF'S MOTION TO VOLUNTARILY DISMISS DEFENDANT

This matter is before the Court on the Plaintiff's "Motion For Protective Order" and "Motion To Voluntarily Dismiss Defendant Lisa Balderstone," filed, on July 5, 2006. In support of the motion for protective order, the Plaintiff states that his medical records are relevant to the issues in this case and are in support of his response to the Defendants' motion for summary judgment.

Having considered the motion and the reasons stated therein, the undersigned finds that although the medical records may be of some value in this matter, it is not necessary that they be sealed by the Court. Rather, the motion shall be **GRANTED IN-PART** to the extent that the medical records shall be provided only to the attorney for the Defendants in this matter as it relates to the pending motion for summary judgment. A copy of the medical records which have already been provided by the Plaintiff to this office shall also be retained for the sole purpose of the matter now pending before the Court. Upon the conclusion of this case, the attorney for the Defendants

shall return their copy of the medical records to the Plaintiff. The motion for protective order shall be **DENIED** as to Plaintiff's request that they be placed under seal by the Court.

The Plaintiff has also filed a motion to voluntarily dismiss Lisa Balderstone as a defendant in this action. **IT IS HEREBY ORDERED** that a response to the motion to dismiss shall be filed within **14 days** from the Defendant's receipt of this order.

IT IS SO ORDERED.

The parties are hereby informed that any objection to this order must be filed with the district court within 10 days after service, pursuant to Rule 72(a), Federal Rules of Civil Procedure.

DATED: July 10, 2006

s/ Wallace Capel, Jr.
WALLACE CAPEL, JR.
United States Magistrate Judge

CERTIFICATE OF SERVICE

I hereby certify that on July 10, 2006, I electronically filed the foregoing paper with the Clerk of the Court using the ECF system which will send electronic notification of such filing to the following: Christine M. Campbell, Michael D. Kennedy. I hereby certify that I have mailed by United States Postal Service the paper to the following non-ECF participant(s) Fred Reeves #241575, Baraga Maximum Correctional Facility, 301 Wadaga Rd., Baraga, MI 49908.

s/James P. Peltier
James P. Peltier
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